REMARKS

In response to the Office Action dated Final Rejection of July 9, 2007, the Decision on Appeal dated May 28, 2009, and pursuant to a Request for Continued Examination filed herewith, claims 1-63 have been canceled and new claims 64-109 have been added. Claims 64-109 are pending in the application.

In paragraph 4 on page 2 of the Office Action, claims 1-3, 7-10, 13, 14, 20, 22, 24, 26-38,42, 43, 46-57, and 62-63 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Armbruster, and in further view of Bull.

In paragraph 5 on page 11 of the Office Action, claims 15-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Armbruster, in further view of Bull, and in further view of Sheena.

In paragraph 6 on page 13 of the Office Action, claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Armbruster, in further view of Bull, and in further view of Eldering.

In paragraph 7 on page 13 of the Office Action, claims 21 and 58-61 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Armbruster, in further view of Bull, and in further view of Park.

In paragraph 8 on page 14 of the Office Action, claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Armbruster, in further view of Bull, and in further view of Haitsuka.

Applicant respectfully traverses the rejection, but in the interest of expediting prosecution has amended the claims.

Independent claim 64 sets forth a method that includes capturing, at an Internet Service Provider (ISP) point of presence (POP), packets associated with Web page requests anonymously, extracting, at the ISP POP, an IP address associated with the Web page request and an Uniform Resource Locator (URL) of the requested Web page, associating each extracted URL with a client making the Web page request, determining a user ID associated with each IP address of a client requesting a Web page, for each client, storing the URL and the user ID of the client associated with the extracted URL, developing a user profile for user IDs, at the ISP POP, based on the extracted URLs associated with Web pages requested by clients having the user IDs and cross referencing Web site profiles with the extracted URLs associated with Web pages requested by a client having the user ID to generate an updated user profile, at the ISP POP, based on inferred user demographics of the Web sites requested by the client having the user ID. Independent claim s80, 95 and 109 set forth similar elements.

Roth discloses a system that provides advertisements from a central server in response to a user accessing a web site having an HTML reference to an advertising server. The IP address of the user may be provided in a cookie to the central advertising server. However, the operations all occur over the Internet, i.e., after the user data has been transmitted through the ISP POP to the Internet.

Thus, Roth fails to disclose capturing, at an Internet Service Provider (ISP) point of presence (POP), packets associated with Web page requests anonymously. Roth also fails to disclose extracting, at the ISP POP, an IP address associated with the Web page request and a Uniform Resource Locator (URL) of the requested Web page. Roth further fails to

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suggest developing a user profile for user IDs, at the ISP POP, based on the extracted

URLs associated with Web pages requested by clients having the user IDs. Yet further,

Ross fails to suggest cross referencing Web site profiles with the extracted URLs

associated with Web pages requested by a client having the user ID to generate an updated

user profile, at the ISP POP, based on inferred user demographics of the Web sites

requested by the client having the user ID.

Roth also does not disclose capturing packets associated with Web page requests

anonymously. Rather, Ross merely describes a cookie is provided to a central ad server or

a web page accessed by the user references a web server.

Roth does not disclose determining a user ID associated with each IP address of a

client requesting a Web page. Roth merely discloses that a cookie may contain the user's

IP address. While cookies can be maintained across browsing sessions, they are not saved

or sent with the URL. Thus, the user ID obtained at the ISP POP persistently identifies the

client thereby allowing URLs from a client to be associated with a user ID.

Roth further fails to disclose storing each URL associated with a Web site requested

by a client and the user ID of that client. Again, Roth merely discloses that a cookie is

provided to a central ad server or that a web page accessed by the user references a web

server.

Roth still further fails to suggest cross referencing Web site profiles with the

extracted URLs to generate an updated user profile based on inferred user demographics of

the Web sites requested by the client having the user ID. Roth simply does not disclose

such cross-referencing.

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Thus, Roth fails to disclose, teach or suggest the invention as defined in new independent claims 64, 80, 95 and 109.

Armbruster fails to overcome the deficiencies of Roth. Armbruster is merely cited as disclosing a system that maintains certain cacheable data at a local cache at an ISP of a user.

However, Armbruster is completely silent regarding performing any of the above functions at an ISP POP. Moreover, Armbruster fails to disclose, teach or suggest capturing packets associated with Web page requests anonymously. Rather, Armbruster only discloses modifying URLs of cached data so that requests for such data are directed to the local cache. However, Armbruster does not mention capturing packets associated with Web page requests anonymously.

Armbruster also fails to suggest determining a user ID associated with each IP address of a client requesting a Web page. Armbruster does not even mention user IDs.

Armbruster further fails to disclose storing each URL associated with a Web site requested by a client and the user ID of that client. Again, Armbruster merely discloses that URLs of cached data are modified so that requests for such data are directed to the local cache.

Armbruster still further fails to suggest cross referencing Web site profiles with the extracted URLs to generate an updated user profile based on inferred user demographics of the Web sites requested by the client having the user ID. Armbruster simply does not disclose such cross-referencing.

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Thus, Roth and Armbruster, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 64, 80, 95 and 109.

Bull fails to overcome the deficiencies of Roth and Armbruster. Bull is merely cited as disclosing that the user's web viewing patterns monitored and matched against software text agents to match a profile including user demographics. According to Bull, during a session or after a user discontinues use, the data viewed (recorded in the browsing activity datastore 240) is analyzed by the session profile update 2921 and the user profile datastore 210 is updated with keywords or personal search text agent datastore 232. Thus, Bull requires a user to connect to an information aggregations and synthesization system through the Internet. The user is required to logon so that the user's activity may be tracked.

Accordingly, Bull does not disclose the above-described functions occurring at an Internet Service Provider (ISP) point of presence (POP). Bull also does not disclose capturing packets associated with Web page requests anonymously. Rather, Bull requires the user to logon to the system.

Bull does not disclose determining a user ID associated with each IP address of a client requesting a Web page. Rather, Bull relies on the login ID to identify a user.

Bull further fails to disclose storing each URL associated with a Web site requested by a client and the user ID of that client. Again, Bull merely discloses that a user logs on to the system and, therefore, Bull fails to disclose determining the user ID of the client.

Bull still further fails to suggest cross referencing Web site profiles with the extracted URLs to generate an updated user profile based on inferred user demographics of

the Web sites requested by the client having the user ID. Bull simply does not disclose such cross-referencing.

Thus, Roth, Armbruster and Bull, alone or in combination, fail to disclose, teach or suggest the invention as defined in new independent claims 64, 80, 95 and 109.

Sheena fails to overcome the deficiencies of Roth, Armbruster and Bull. Sheena is merely cited as disclosing the use of an averaging algorithm to calculate a similarity factor between a pair of users. According to Sheena, the similarity between a pair of users may be calculated by averaging the squared difference between their ratings for mutually rated items. Thus, the similarity factor between user x and user y is calculated by subtracting, for each item rated by both users, the rating given to an item by user y from the rating given to that same item by user x and squaring the difference. The squared differences are summed and divided by the total number of items rated.

However, Sheena does not disclose the above-described functions occurring at an Internet Service Provider (ISP) point of presence (POP). Sheena also does not disclose capturing packets associated with Web page requests anonymously.

Sheena does not disclose determining a user ID associated with each IP address of a client requesting a Web page. Sheena further fails to disclose storing each URL associated with a Web site requested by a client and the user ID of that client. Sheena still further fails to suggest cross referencing Web site profiles with the extracted URLs to generate an updated user profile based on inferred user demographics of the Web sites requested by the client having the user ID. Sheena simply does not disclose such cross-referencing.

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Thus, Roth, Armbruster, Bull and Sheena, alone or in combination, fail to disclose, teach or suggest the invention as defined in new independent claims 64, 80, 95 and 109.

Eldering fails to overcome the deficiencies of Roth, Armbruster, Bull and Sheena. Eldering is merely cited as disclosing the erasing records of which Web sites said user has visited after developing the user's profile to protect user privacy. More specifically, Eldering discloses maintaining consumer privacy via private data networks.

However, Eldering does not disclose the above-described functions occurring at an Internet Service Provider (ISP) point of presence (POP). Eldering also does not disclose capturing packets associated with Web page requests anonymously.

Eldering does not disclose determining a user ID associated with each IP address of a client requesting a Web page. Eldering further fails to disclose storing each URL associated with a Web site requested by a client and the user ID of that client. Eldering still further fails to suggest cross referencing Web site profiles with the extracted URLs to generate an updated user profile based on inferred user demographics of the Web sites requested by the client having the user ID. Eldering simply does not disclose such cross-referencing.

Thus, Roth, Armbruster, Bull, Sheena and Eldering, alone or in combination, fail to disclose, teach or suggest the invention as defined in new independent claims 64, 80, 95 and 109.

Park fails to overcome the deficiencies of Roth, Armbruster, Bull, Sheena and Eldering. Park is merely cited as disclosing the transmitting of pop-up and banner advertisements to a display of a computer operated by the user.

However, Park does not disclose the above-described functions occurring at an Internet Service Provider (ISP) point of presence (POP). Park also does not disclose capturing packets associated with Web page requests anonymously. Park does not disclose determining a user ID associated with each IP address of a client requesting a Web page. Park further fails to disclose storing each URL associated with a Web site requested by a client and the user ID of that client. Park still further fails to suggest cross referencing Web site profiles with the extracted URLs to generate an updated user profile based on inferred user demographics of the Web sites requested by the client having the user ID.

Thus, Roth, Armbruster, Bull, Sheena, Eldering and Park, alone or in combination, fail to disclose, teach or suggest the invention as defined in new independent claims 64, 80, 95 and 109.

Haitsuka fails to overcome the deficiencies of Roth, Armbruster, Bull, Sheena, Eldering and Park. Haitsuka is merely cited as disclosing client monitoring device that grabs URL's from communication stream between the browser and web server.

However, Haitsuka does not disclose the above-described functions occurring at an Internet Service Provider (ISP) point of presence (POP). Haitsuka also does not disclose capturing packets associated with Web page requests anonymously. Haitsuka does not disclose determining a user ID associated with each IP address of a client requesting a Web page. Haitsuka further fails to disclose storing each URL associated with a Web site requested by a client and the user ID of that client. Haitsuka still further fails to suggest cross referencing Web site profiles with the extracted URLs to generate an updated user

profile based on inferred user demographics of the Web sites requested by the client having the user ID.

Thus, Roth, Armbruster, Bull, Sheena, Eldering, Park and Haitsuka, alone or in combination, fail to disclose, teach or suggest the invention as defined in new independent claims 64, 80, 95 and 109.

Dependent claims 65-79, 81-94 and 96-108 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claims 64, 80 and 95, respectively. Further dependent claims 65-79, 81-94 and 96-108 recite additional novel elements and limitations. Applicants reserve the right to argue independently the patentability of these additional novel aspects. Therefore, Applicants respectfully submit that dependent claims 65-79, 81-94 and 96-108 are patentable over the cited references.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 865-380-5976. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

Merchant & Gould
P.O. Box 2903
Minneapolis, MN 55402-0903
(865) 380-5976

By: _____
Name: David W. Lynch
Reg. No.: 36,204

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